

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-11937 RGS

JOSEPH J. FENCHER, JR.,
Petitioner

v.

GARY RODEN,
Respondent

FINAL ORDER ON REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

August 20, 2015

STEARNS, D.J.

On July 8, 2015, this court issued an Order adopting the Report and Recommendation (R&R) of Magistrate Judge Boal dismissing Joseph Fincher Jr.'s habeas petition. The court approved M.J. Boal's recommendation based on four distinct grounds. On July 20, 2015, Fencher filed a Motion for Reconsideration asking the court to enlarge the time for him to file objections to the R&R until July 27, 2015. The court granted the motion but provided Fencher an additional 17 days, until August 13, 2015 to file. Notwithstanding, to date the Clerk's Office has not received any objections from Fencher to M.J. Boal's R&R. Accordingly, the Recommendation is ADOPTED and the petition is DISMISSED with

prejudice for the previously stated reasons. Any request for the issuance of a Certificate of Appealability pursuant to 28 U.S.C. § 2253 is DENIED, the court seeing no meritorious or substantial basis supporting an appeal.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE